

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOTHY DESHAWN HARRIS, JR.,

Petitioner,

v.

NICOLE MORRISEY O'DONNELL,

Respondent.

CASE NO. 2:23-CV-424-BHS-DWC

ORDER DIRECTING CLERK'S
OFFICE TO RE-SERVE PETITION

The District Court has referred this action filed under 28 U.S.C. § 2254 to United States Magistrate Judge David W. Christel. On May 3, 2023, the Court directed service and an answer to the Petition. Dkt. 11. Within forty-five days after service, Respondent was directed to file and serve an answer in accordance with Rule 5 of the Rules Governing Section 2254 Cases in United States District Courts. *Id.* at 2. Therefore, the Court anticipated an answer being filed by approximately June 20, 2023. As of the date of this Order, an answer has not been filed.

It is not clear from the record that Respondent, Nicole Morrissey O'Donnell, has been properly served. Therefore, the Court directs the Clerk's Office to re-serve by certified mail upon both Respondent and the Washington State Attorney General's Office copies of the petition, of

1 all documents in support thereof, and this Order and the Order to Substitute and for Service and
2 Answer, § 2254 Petition (Dkt. 11).

3 The Court notes Petitioner is challenging a conviction and judgment arising from a King
4 County Superior Court case in Seattle, Washington. Dkt. 9. Assistant Attorney General John
5 Samson, from the Washington State Attorney General's Office, has entered an appearance in this
6 case on behalf of Respondent. The Court directs counsel for Respondent to file an answer or
7 otherwise respond to this action by providing a status update on or before September 7, 2023.

8 Dated this 14th day of July, 2023.

9
10 

11 David W. Christel
12 Chief United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24